

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA, :
Plaintiff :
vs. : CRIMINAL NO. 1:CR-00-274
: :
ANTONIO L. HORNE, :
Defendant :
:

O R D E R

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

On October 21, 2004, the Defendant filed a motion to extend the page limits of his petition/motion and memorandum with regard to his habeas corpus petition under 28 U.S.C. §2255. (doc. 85).¹ The Defendant, in making his motion, relied upon Local Rule 83.32.2 for a determination of the appropriate page limits, and he seeks to extend the limits from one hundred (100) pages to one hundred twenty-five (125) pages. Local Rule 83.32.2, however, addresses 2255 petitions in death penalty cases and does not apply here.

Because of Defendant's pro se status we shall consider his motion under Local Rule 7.8(b). While his brief complies with the 15 page limitation, the appendix attached to the brief does

¹ The proposed brief and appendix was submitted on October 12, 2004. (doc. 82).

not. Our review of this material shows that the appendix is simply repetitive of documents filed with his 2255 motion, and we shall decline to accept it.

AND NOW, this 10th day of November, 2004, it is Ordered that the Defendant's motion to extend the page limits (doc. 85) of his brief in support of his 2255 motion (doc. 82) is denied. The Clerk shall return the appendix to the defendant.

/s/William W. Caldwell
William W. Caldwell
United States District Judge